IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6615 of 2007()

CRIME NO.468/06 OF THAMARASSERY POLICE STATION

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PETITIONER/ACCUSED:

JOY @ VEERAPPAN JOY, S/O. JOHNY,
KATTILAPEEDIKA VEEDU, CHENGALUR VILLAGE,
CHENGALUR VILLAGE, SOORYAGRAMAM.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No.6615 OF 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sec.395 of the IPC. The alleged incident took place on 3/10/06. The informant is the driver of a K.S.R.T.C. bus plying from Bangalore to Kozhikode. En route the miscreants came in a Scorpio car and obstructed the further progress of the bus. A passenger, who was carrying a lot of cash along with him – he is allegedly a hawala transactor, was pulled out of the bus and he was robbed of the money that he was carrying. A crime was promptly registered. Investigation is in progress. The petitioner was arrested in another similar crime and later his arrest was recorded in this crime. The petitioner continues in custody in this crime from 4/9/07. The learned counsel for the petitioner prays that the

petitioner may now be enlarged on bail.

2. The learned Public Prosecutor stoutly opposes the application. The investigation is not complete. The co-accused have not been apprehended. The petitioner may not be enlarged on bail at this stage, prays the learned Public Prosecutor.

3. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. I agree with the learned Public Prosecutor that in a serious crime like this, the Investigators are entitled for reasonable further time to complete the investigation after the arrest of the accused.

4. This petition is, in these circumstances, dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this Court or the courts below for bail again at a later stage of the investigation – not, at any rate, prior to 14/11/07.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge